

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(ALEXANDRIA DIVISION)

ROBERTO CLAROS et al.,

Plaintiffs,

v.

SWEET HOME IMPROVEMENTS, INC.,
et al.,

Defendants

Case No: 1:16-CV-344-AJT-MSN

Hearing Date: August 5, 2016
10:00 a.m.

Motion for an Order to Show Cause, and for Sanctions

On July 8, this Court granted Plaintiffs' motion to compel and ordered Defendants to produce certain bank records that Plaintiffs had requested in discovery—records that are highly probative of Plaintiffs' claims and damages. The Court ordered production within 14 days, but declined to award Plaintiffs their costs and fees.

The Court's deadline has come and gone, and Defendants have not produced the bank records. They have not described any steps they have taken to obtain the bank records—in fact, they have misrepresented under oath their efforts to do so. And they have not given Plaintiffs any indication as to when they might expect to receive the bank records. Accordingly, Plaintiffs now move for an order requiring Defendants to show cause why they should not be held in contempt of court.

Plaintiffs also seek sanctions against Defendants, in the form of the reasonable attorney's fees incurred in bringing not only this motion, but also their previously-granted motion to compel.

Accordingly, Plaintiffs request the following relief:

1. An order requiring Defendants to produce the bank records without further delay;
2. An order requiring Defendants to show cause why they should not be held in contempt;
3. An award of Plaintiffs' reasonable attorney's fees of \$8,960 which were incurred in bringing not only this motion, but also Plaintiffs' previously-granted motion to compel; and
4. Any other relief the Court thinks just and proper.

Respectfully submitted,

/s/ Nicholas Cooper Marritz

July 27, 2016

Nicholas Cooper Marritz (VSB No. 89795)

LEGAL AID JUSTICE CENTER

6066 Leesburg Pike, Suite 520

Falls Church, VA 22041

Tel: (703) 720-5607

Fax: (703) 778-3454

nicholas@justice4all.org

Attorney for Plaintiffs

Certificate of Service

I hereby certify that on July 27, 2016, I uploaded the foregoing Motion for an Order to Show Cause, and for Sanctions, to the Court's CM/ECF system, which will cause a Notice of Electronic Filing to be sent to Defendants' counsel of record:

Jason Jin Huh
Law Office of Jason J. Huh, PLLC
4101 Chain Bridge Road, Suite 214
Fairfax, VA 22030
attorneyhuh24@gmail.com
Counsel for Defendants

/s/ Nicholas Cooper Marritz
Nicholas Cooper Marritz (VSB No. 89795)
LEGAL AID JUSTICE CENTER
6066 Leesburg Pike, Suite 520
Falls Church, VA 22041
Tel: (703) 720-5607
Fax: (703) 778-3454
nicholas@justice4all.org
Attorney for Plaintiffs

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